THE HONOURBALE SRI JUSTICE GODA RAGHURAM

WP NO.11935 OF 1998

Between:

T.Srinivasa Prasad

....Petitioner

Vs.

The Commissioner and Director of School Education, Hyderabad and another

…Respondents

THE HONOURBALE SRI JUSTICE GODA RAGHURAM

WP NO.11935 OF 1998

ORAL ORDER

The writ petition is filed substantively seeking a direction to the respondents to consider the petitioner's absorption into an aided vacancy in the 3rd respondent-educational institution. This claim is urged on the basis of the petitioner's selection and appointment as a SGBT Teacher in 1994 followed by the order of the 2nd respondent dated.11-10-1994 approving the selection as required under the then extant rules. It is now represented by the learned Government Pleader for School Education that the 2nd respondent by an order dated.23-08-2007 has rescinded the earlier orders dated.11-10-1994 granting an approval for the appointment of the petitioner and the 4th respondent. In view of these orders the claim of the petitioner for absorption into an aided vacancy as well as the competing claim of the 4th respondent for the same purpose have no basis, as approval of a managements order of appointment to an aided vacancy by the competent authority is the *sine qua non* and constitutes eligibility for absorption to an aided vacancy, even assuming that appointments can be made to an aided vacancy now, an aspect on which aspect the State contends that no appointments to an aided vacancy can now be made in view of a ban. Be that as it may.

In view of the orders dated.23-08-2007 of the 2nd respondent canceling the earlier orders dated.11-10-1994 the claim of

the petitioner has no legal basis. The writ petition is accordingly dismissed as infructuous. No order as to costs.

GODA RAGHURAM,J

29th AUGUST 2007
***TSNR/PVSN**